

the limitations set forth in each of claims 1 and 2, including, for example, “an experimental data analysis means for working out experimental data at each point of time during an experiment based upon analysis of said experimental data obtained by said experimental data obtaining means,” as recited in each of claims 1 and 2. In response, in the present Office Action, the Examiner simply block quotes from the text of Donne, at col. 12, lines 11-22 and col. 11, lines 56+, and underlines every instance that the word “time” appears in the cited text. Then, the Examiner merely concludes that, “it would have been obvious to one of ordinary skill in the art that Donne provides an experimental data analysis means for working out experimental data at each point of time during an experiment.”

Applicant believes that the Examiner underlines each instance of the word “time” to allegedly show the limitations of claims 1 and 2, as quoted above. In particular, Applicant believes that the Examiner thinks that Donne shows that experimental data analysis means work out experimental data at each point of time, as described in each of claims 1 and 2. However, Applicant submits that the underlined instance of the word “time” on page 3 of the Office Action only relates to a duration related to providing capacity utilization information, and the instance of the word “time” underlined on page 4 of the Office Action only relates to a description of a type of data that is recorded for each electrode in an array. However, neither of the cited instances of the word “time”, as disclosed in Donne, relate to working out experimental data at each point of time during an experiment. That is, just because Donne recites the word “time” in different portions of its text does not denote that the limitations of claims 1 and 2, as set forth above, are satisfied.

Further, it was argued in the previous amendment that the Examiner does not even mention the other limitations recited in claims 1 and 2, besides the limitation quoted above. In the present Office Action, the Examiner still does not respond to this particular argument and does not mention the other limitations and how they are allegedly satisfied by the applied references. That is, the Examiner does not even mention, inter alia, the following limitations of claim 1 (the Examiner also does not mention other similar limitations of claim 2):

“a predicted value calculation data storage means for storing in advance physical property value data and arithmetic expression data usable to work out predicted values of electroplating experimental results from said electroplating experimental conditions”,

“a predicted value calculation means for working out the predicted values of the electroplating experimental results from said electroplating experimental conditions using the physical property value data and the arithmetic expression data read out from said predicted value calculation data storage means”,

“an electroplating experimental data obtaining means for obtaining electroplating experimental data.”

Therefore, at least based on the previously submitted arguments and the arguments set forth above, Applicant submits that independent claims 1 and 2 are patentably distinguishable over the applied references, either alone or in combination.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO.: 10/076,493

ATTORNEY DOCKET NO. Q68543

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 7, 2004